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In re application of

Preliminary Group Art Unit: 2874

Mark Unrath, Kelly Bruland,
Ho Wai Lo, and Steve Swaringen

Application No.: 10/077,691

Filed: February 15, 2002

For: **ON-THE-FLY BEAM PATH
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to their duty of disclosure, applicants present for the Examiner's consideration the documents listed on the accompanying Form PTO-1449.
☒ Copies of the documents are enclosed.
☐ Copies (a copy) of document(s) _____ are (is) not enclosed because (1) they are already of record in U.S. Pat. Application No. _____, filed _____, on which this application relies for an earlier filing date under 35 U.S.C. § 120, and (2) any information disclosure statement filed in the prosecution of U.S. Pat. Application No. _____, complies with 37 C.F.R. §§ 1.98(a) and (c). (37 C.F.R. § 1.98(d).)
2. ☐ Applicant(s) draw(s) the Examiner's attention to the enclosed copy of compending U.S. Pat. Application No. _____, filed _____, for _____, which is cited in this application.
3. This information disclosure statement is being submitted:
 - a. ☐ Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.)
 - b. ☒ After the period set forth in paragraph 3a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)

- i. ☐ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed.
- ii. ☒ A statement specified by 37 CFR 1.97(e) is set forth below.
- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of an issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. ☒ The attorney or agent signing below hereby states that:
- ☒ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
5. ☐ Applicants set forth below concise explanations of the relevance of each document not in the English language and/or selected documents in the English language.

Respectfully submitted,

**Mark Unrath, Kelly Bruland
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